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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) CR 17-00533 EMC

14 Plaintiff,)

15 v.)

16 JONATHAN JOSEPH NELSON, ET AL,)

17 Defendants.)
18

~~PROPOSED~~ ORDER EXCLUDING TIME
FROM MAY 15, 2019 TO MAY 28, 2019


19 On February 13, 2019, defendants Jonathan Joseph Nelson, Raymond Michael Foakes, Russell
20 Allen Lyles, Jr., Jeremy Daniel Greer, Brian Wayne Wendt, Russell Taylor Ott, Damien David Cesena,
21 Brian Allen Burke, David Salvatore Diaz, III, and Merle Frederick Hefferman and plaintiff United
22 States of America appeared before the Court for a status. The Court set a further status for May 15,
23 2019 at 1:30 p.m., and excluded time in a subsequent order. ECF No. 574. The Court then re-set the
24 status conference to May 8, 2019 at 1:30 p.m. ECF No. 591. The Court is no longer available for the
25 status hearing on May 8, 2019, and so the parties have agreed to re-set the status for May 28, 2019 at
26 2:30 p.m.

27 Based on the representations of counsel and for good cause shown at the last status hearing, the
28 Court finds that time is excludable between May 15, 2019 and May 28, 2019, pursuant to 18 U.S.C. §

1 3161(h)(7)(A) and (h)(7)(B)(iv), on the basis that the ends of justice served by the continuance outweigh
2 the best interests of the public and defendants in a speedy trial, and because failure to grant a
3 continuance would deny defendants' counsel the reasonable time necessary for effective preparation,
4 taking into account the exercise of due diligence. The Court also finds that the case is complex based on
5 the number of defendants and the nature of the prosecution, pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii).

6 Therefore, **IT IS HEREBY ORDERED** that the matter is set before this Court on May 28, 2019
7 at 2:30 p.m. for a further status, and that the time between May 15, 2019 and May 28, 2019 shall be
8 excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

9
10 DATED: April 24, 2019



HON. EDWARD M. CHEN
United States District Judge